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0380 #10

Attorney Docket No. VPI/00-115 US



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kuida et al.  
ASSIGNEE: Vertex Pharmaceuticals Incorporated  
SERIAL NUMBER: 09/888,182 EXAMINER: Not Yet Assigned  
FILING DATE: June 22, 2001 ART UNIT: Not Yet Assigned  
FOR: ERK-5 DEFICIENT ANIMALS AND METHODS OF INHIBITING ANGIOGENESIS THROUGH THE INHIBITION OF ERK-5

October 9, 2002  
Cambridge, Massachusetts

Commissioner for Patents  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the National Application;
- within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of the references are enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the

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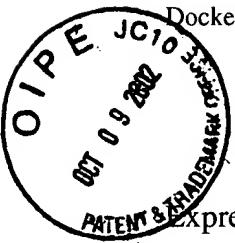
cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0725, Reference No. VPI/00-115 US.

Respectfully submitted,

  
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**Certificate Of Mailing Under 37 C.F.R. § 1.10**

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Date of Deposit: October 9, 2002

I hereby certify that the following documents:

1. Information Disclosure Statement (in duplicate);
2. PTO-1449 Form (in duplicate);
3. Cited references B1, C1-C2;
4. Copy of International Search Report; and
5. this return postcard receipt.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington D.C. 20231

Karen DiRocco

(type or printed name of person mailing document(s))

Karen DiRocco

(signature of person mailing document(s))